UNITED NATIONS **A**

General Assembly

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GENERAL

A/RES/50/137
30 January 1996

Fiftieth session
Agenda item 103

RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[on the report of the Third Committee (A/50/626)]

50/137. Report of the Committee on the Elimination of Racial Discrimination

The General Assembly,

Recalling its previous resolutions concerning the reports of the Committee on the Elimination of Racial Discrimination and its resolutions on the status of the International Convention on the Elimination of All Forms of Racial Discrimination, 1/

Reiterating the importance of the Convention, which is one of the most widely accepted human rights instruments adopted under the auspices of the United Nations,

Aware of the importance of the contributions of the Committee to the efforts of the United Nations to combat racism and all other forms of discrimination based on race, colour, descent or national or ethnic origin,

Reiterating once again the need to intensify the struggle for the elimination of all forms of racism and racial discrimination throughout the world, especially its most brutal forms,

Emphasizing the obligation of all States parties to the Convention to take legislative, judicial and other measures in order to secure full implementation of the provisions of the Convention,

Bearing in mind the Vienna Declaration and Programme of Action, adopted by the World Conference on Human Rights on 25 June 1993, 2/ in particular section II.B, relating to equality, dignity and tolerance, and General Assembly resolution 49/208 of 23 December 1994, in particular paragraph 7 thereof,

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1/ Resolution 2106 A (XX), annex.

2/ A/CONF.157/24 (Part I), chap. III.

Concerned that the amendment to the Convention regarding the financing of the Committee, as decided upon at the Fourteenth Meeting of States Parties to the International Convention on the Elimination of All Forms of Racial Discrimination on 15 January 1992 3/ and endorsed by the General Assembly in its resolution 47/111 of 16 December 1992, has not yet entered into force,

Welcoming efforts of the Secretary-General to ensure interim financial arrangements for the financing of the expenses incurred by the Committee,

Stressing the importance of enabling the Committee to function smoothly and to have all necessary facilities for the effective performance of its functions under the Convention,

Having considered the report of the Secretary-General on the financial situation of the Committee, 4/

1. Commends the Committee on the Elimination of Racial Discrimination for its work with regard to the implementation of the International Convention on the Elimination of All Forms of Racial Discrimination and the Programme of Action for the Second Decade to Combat Racism and Racial Discrimination 5/ and its contribution to the preparation for the Third Decade to Combat Racism and Racial Discrimination;

2. Encourages the Committee to contribute fully to the implementation of the Third Decade and its revised Programme of Action, 6/ including by the continued collaboration and flow of information between the Committee and the Subcommission on Prevention of Discrimination and Protection of Minorities and the Special Rapporteur of the Commission on Human Rights on contemporary forms of racism, racial discrimination, xenophobia and related intolerance; 7/

3. Welcomes the cooperation and exchange of information between the Committee and the relevant structures and mechanisms of the United Nations, such as meetings held with the Special Rapporteur of the Commission on Human Rights on the situation of human rights in the territory of the former Yugoslavia and the Special Rapporteur of the Commission on Human Rights on contemporary forms of racism, racial discrimination, xenophobia and related intolerance 8/ and encourages their continuation in the future, including with the United Nations High Commissioner for Human Rights;

4. Encourages the use of innovatory procedures by the Committee for reviewing the implementation of the Convention in States whose reports are overdue and the formulating of concluding observations on reports of States parties to the Convention;

3/ See A/49/499, annex I.

4/ A/50/467.

5/ Resolution 38/14, annex.

6/ Resolution 49/146, annex.

7/ See A/50/18, chap. VIII.

8/ Ibid., chap. I, para. 13.

5. Commends the Committee for its continuous efforts to improve its contribution to the prevention of racial discrimination, including early warning and urgent procedures, and welcomes its relevant decisions and action thereon; 9/

6. Welcomes decision 9 (46) of 17 March 1995 adopted by the Committee, entitled "Contribution of the Committee on the Elimination of Racial Discrimination to the United Nations Decade for Human Rights Education" and general recommendation XIX (47) on article 3 of the Convention; 10/

7. Urges all States which have not yet ratified or acceded to the Convention to do so as soon as possible;

8. Encourages States to limit the extent of any reservation they lodge to the Convention and to formulate any reservation as precisely and as narrowly as possible while ensuring that no reservation is incompatible with the object and purpose of the Convention or otherwise contrary to international law;

9. Expresses its profound concern at the fact that a number of States parties have still not fulfilled their financial obligations, as shown in the report of the Secretary-General; 11/

10. Urges States parties to accelerate their domestic ratification procedures with regard to the amendment to the Convention concerning the financing of the Committee and expeditiously to notify the Secretary-General in writing of their agreement to the amendment, as decided upon at the Fourteenth Meeting of States Parties to the International Convention on the Elimination of All Forms of Racial Discrimination 3/ on 15 January 1992 and endorsed by the General Assembly in its resolution 47/111 of 16 December 1992;

11. Takes note with appreciation of the report of the Committee on the work of its forty-sixth and forty-seventh sessions; 12/

12. Requests the Secretary-General to continue to ensure adequate financial arrangements and appropriate means to enable the functioning of the Committee;

13. Calls upon States parties to fulfil their obligations under article 9, paragraph 1, of the Convention, to submit in due time their periodic reports on measures taken to implement the Convention and to pay their outstanding contributions;

14. Strongly appeals to all States parties which are in arrears to fulfil their outstanding financial obligations under article 8, paragraph 6, of the Convention;

15. Requests the Secretary-General to invite those States parties which are in arrears to pay the amounts in arrears and to report thereon to the General Assembly at its fifty-first session;

9/ Ibid., chap. II.

10/ Ibid., chap. I, paras. 17 and 18, and annexes III and VII.

11/ A/50/467, annex I.

12/ A/50/18.

16. Decides to consider at its fifty-first session, under the item entitled "Elimination of racism and racial discrimination", the report of the Secretary-General on the financial situation of the Committee and the report of the Committee;

17. Requests the Secretary-General to draw the present resolution to the attention of States parties to the International Convention on the Elimination of All Forms of Racial Discrimination.

97th plenary meeting
21 December 1995

UNITED NATIONS **A**

General Assembly

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A/RES/50/138
30 January 1996

Fiftieth session
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RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[on the report of the Third Committee (A/50/627)]

50/138. Use of mercenaries as a means to violate human rights and to impede the exercise of the right of peoples to self-determination

The General Assembly,

Recalling its resolution 49/150 of 23 December 1994,

Recalling also all of its relevant resolutions, in which, inter alia, it condemned any State which permitted or tolerated the recruitment, financing, training, assembly, transit and use of mercenaries with the objective of overthrowing the Governments of States Members of the United Nations, especially those of developing countries, or of fighting against national liberation movements, and recalling also the relevant resolutions of the Security Council, the Economic and Social Council and the Organization of African Unity,

Reaffirming the purposes and principles enshrined in the Charter of the United Nations concerning the strict observance of the principles of sovereign equality, political independence, territorial integrity of States and self-determination of peoples,

Alarmed and concerned about the danger that the activities of mercenaries constitute to peace and security in developing countries, particularly in Africa and in small States, where democratically elected Governments have been overthrown by mercenaries or through mercenary international criminal activities,

Deeply concerned about the loss of life, the substantial damage to property and the negative effects on the polity and economies of affected countries resulting from mercenary aggression and criminal activities,

Convinced that it is necessary for Member States to ratify the International Convention against the Recruitment, Use, Financing and Training

of Mercenaries, 1/ adopted by the General Assembly in 1989, and to develop and maintain international cooperation among States for the prevention, prosecution and punishment of mercenary activities,

1. Takes note of the report of the Special Rapporteur of the Commission on Human Rights 2/ on the use of mercenaries and mercenary-related activities to topple sovereign Governments and to undermine the rights of peoples to self-determination despite resolution 49/150;

2. Reaffirms that the use of mercenaries and their recruitment, financing and training are causes for grave concern to all States and violate the purposes and principles enshrined in the Charter of the United Nations;

3. Urges all States to take the necessary steps and to exercise the utmost vigilance against the menace posed by the activities of mercenaries and to take necessary legislative measures to ensure that their territories and other territories under their control, as well as their nationals, are not used for the recruitment, assembly, financing, training and transit of mercenaries for the planning of activities designed to destabilize or overthrow the Government of any State or threaten the territorial integrity and political unity of sovereign States, or to promote secession or fight the national liberation movements struggling against colonial or other forms of alien domination or occupation;

4. Calls upon all States which have not yet done so to consider taking necessary action to sign or to ratify the International Convention against the Recruitment, Use, Financing and Training of Mercenaries;

5. Urges all States to cooperate with the Special Rapporteur in the fulfilment of his mandate;

6. Requests the Centre for Human Rights of the Secretariat, as a matter of priority, to publicize the adverse effects of mercenary activities on the right to self-determination and, when requested where necessary, to render advisory services to States which are affected by the activities of mercenaries;

7. Requests the Special Rapporteur to report, with specific recommendations, his findings on the new elements identified in the use of mercenaries to undermine the rights of peoples to self-determination to the General Assembly at its fifty-first session.

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1/ Resolution 44/34, annex.

2/ A/50/390 and Add.1.

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RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[on the report of the Third Committee (A/50/627)]

50/139. Universal realization of the right of peoples to self-determination

The General Assembly,

Reaffirming the importance, for the effective guarantee and observance of human rights, of the universal realization of the right of peoples to self-determination enshrined in the Charter of the United Nations and embodied in the International Covenants on Human Rights, 1/ as well as in the Declaration on the Granting of Independence to Colonial Countries and Peoples contained in its resolution 1514 (XV) of 14 December 1960,

Welcoming the progressive exercise of the right to self-determination by peoples under colonial, foreign or alien occupation and their emergence into sovereign statehood and independence,

Deeply concerned at the continuation of acts or threats of foreign military intervention and occupation that are threatening to suppress, or have already suppressed, the right to self-determination of an increasing number of sovereign peoples and nations,

Expressing grave concern that, as a consequence of the persistence of such actions, millions of people have been and are being uprooted from their homes as refugees and displaced persons, and emphasizing the urgent need for concerted international action to alleviate their condition,

Recalling the relevant resolutions regarding the violation of the right of peoples to self-determination and other human rights as a result of foreign military intervention, aggression and occupation, adopted by the Commission on Human Rights at its thirty-sixth, 2/ thirty-seventh, 3/

1/ Resolution 2200 A (XXI), annex.

2/ See Official Records of the Economic and Social Council, 1980, Supplement N°. 3 and corrigendum (E/1980/13 and Corr.1), chap. XXVI, sect. A.

thirty-eighth, 4/ thirty-ninth, 5/ fortieth, 6/ forty-first, 7/ forty-second, 8/ forty-third, 9/ forty-fourth, 10/ forty-fifth, 11/ forty-sixth, 12/ forty-seventh, 13/ forty-eighth, 14/ forty-ninth, 15/ fiftieth 16/ and fifty-first sessions, 17/

Reaffirming its resolutions 35/35 B of 14 November 1980, 36/10 of 28 October 1981, 37/42 of 3 December 1982, 38/16 of 22 November 1983, 39/18 of 23 November 1984, 40/24 of 29 November 1985, 41/100 of 4 December 1986, 42/94 of 7 December 1987, 43/105 of 8 December 1988, 44/80 of 8 December 1989, 45/131 of 14 December 1990, 46/88 of 16 December 1991, 47/83 of 16 December 1992, 48/93 of 20 December 1993 and 49/148 of 23 December 1994,

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3/ Ibid., 1981, Supplement N°. 5 and corrigendum (E/1981/25 and Corr.1), chap. XXVIII, sect. A.

4/ Ibid., 1982, Supplement N°. 2 and corrigendum (E/1982/12 and Corr.1), chap. XXVI, sect. A.

5/ Ibid., 1983, Supplement N°. 3 and corrigendum (E/1983/13 and Corr.1), chap. XXVII, sect. A.

6/ Ibid., 1984, Supplement N°. 4 and corrigendum (E/1984/14 and Corr.1), chap. II, sect. A.

7/ Ibid., 1985, Supplement N°. 2 (E/1985/22), chap. II, sect. A.

8/ Ibid., 1986, Supplement N°. 2 (E/1986/22), chap. II, sect. A.

9/ Ibid., 1987, Supplement N°. 5 and corrigenda (E/1987/18 and Corr.1 and 2), chap. II, sect. A.

10/ Ibid., 1988, Supplement N°. 2 and corrigendum (E/1988/12 and Corr.1), chap. II, sect. A.

11/ Ibid., 1989, Supplement N°. 2 (E/1989/20), chap. II, sect. A.

12/ Ibid., 1990, Supplement N°. 2 and corrigendum (E/1990/22 and Corr.1), chap. II, sect. A.

13/ Ibid., 1991, Supplement N°. 2 (E/1991/22), chap. II, sect. A.

14/ Ibid., 1992, Supplement N°. 2 (E/1992/22), chap. II, sect. A.

15/ Ibid., 1993, Supplement N°. 3 (E/1993/23), chap. II, sect. A.

16/ Ibid., 1994, Supplement N°. 4 and corrigendum (E/1994/24 and Corr.1), chap. II, sect. A.

17/ Ibid., 1995, Supplement N°. 3 and corrigenda (E/1995/23 and Corr.1 and 2), chap. II, sect. A.

Taking note of the report of the Secretary-General on the right of peoples to self-determination, 18/

1. Reaffirms that the universal realization of the right of all peoples, including those under colonial, foreign and alien domination, to self-determination is a fundamental condition for the effective guarantee and observance of human rights and for the preservation and promotion of such rights;

2. Declares its firm opposition to acts of foreign military intervention, aggression and occupation, since these have resulted in the suppression of the right of peoples to self-determination and other human rights in certain parts of the world;

3. Calls upon those States responsible to cease immediately their military intervention in and occupation of foreign countries and territories and all acts of repression, discrimination, exploitation and maltreatment, particularly the brutal and inhuman methods reportedly employed for the execution of those acts against the peoples concerned;

4. Deplores the plight of the millions of refugees and displaced persons who have been uprooted as a result of the aforementioned acts, and reaffirms their right to return to their homes voluntarily in safety and honour;

5. Requests the Commission on Human Rights to continue to give special attention to the violation of human rights, especially the right to self-determination, resulting from foreign military intervention, aggression or occupation;

6. Requests the Secretary-General to report on this question to the General Assembly at its fifty-first session under the item entitled "Right of peoples to self-determination".

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RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[on the report of the Third Committee (A/50/627)]

50/140. The right of the Palestinian people to self-determination

The General Assembly,

Aware that the development of friendly relations among nations, based on respect for the principle of equal rights and self-determination of peoples, is among the purposes and principles of the United Nations, as defined in its Charter,

Recalling the International Covenants on Human Rights, 1/ the Universal Declaration of Human Rights, 2/ the Declaration on the Granting of Independence to Colonial Countries and Peoples, 3/ and the Vienna Declaration and Programme of Action, adopted by the World Conference on Human Rights on 25 June 1993, 4/

Noting the progress made in the Middle East peace process, in particular the mutual recognition and the signing of the Declaration of Principles on Interim Self-Government Arrangements in Washington on 13 September 1993 by the Palestine Liberation Organization and the Government of Israel, 5/ as well as the ensuing implementation agreements, the last of which was the interim agreement of 28 September 1995,

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1/ Resolution 2200 A (XXI), annex.

2/ Resolution 217 A (III).

3/ Resolution 1514 (XV).

4/ A/CONF.157/24 (Part I), chap. III.

5/ A/48/486-S/26560, annex.

Affirming the right of all States in the region to live in peace within secure and internationally recognized borders,

1. *Reaffirms* the right of the Palestinian people to self-determination;

2. *Expresses the hope* that the Palestinian people could soon be exercising their right to self-determination in the current peace process;

3. *Urges* all States, specialized agencies and organizations of the United Nations system to continue to support the Palestinian people in their quest for self-determination.

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RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[on the report of the Third Committee (A/50/628)]

50/141. International Year of Older Persons: towards a society for all ages

The General Assembly,

Recalling its resolution 47/5 of 16 October 1992, the annex to which contains the Proclamation on Ageing, by which the Assembly decided to observe the year 1999 as the International Year of Older Persons,

Recalling also Economic and Social Council resolution 1993/22 of 27 July 1993, in which the Council invited Member States to strengthen their national mechanisms on ageing, inter alia, to enable them to serve as national focal points for the preparations for and observance of the Year,

Recalling further its resolution 45/106 of 14 December 1990, in which it recognized the complexity and rapidity of the ageing of the world's population and the need to have a common basis and frame of reference for the protection and promotion of the rights of older persons, including the contribution that older persons could and should make to society,

Bearing in mind its resolution 49/162 of 23 December 1994 on the integration of older women in development,

1. Takes note of the conceptual framework of a programme for the preparation and observance of the International Year of Older Persons in 1999, as contained in the report of the Secretary-General; 1/

2. Invites Member States to adapt the conceptual framework to national conditions and to consider formulating national programmes for the Year;

1/ A/50/114.

3. Invites the United Nations organizations and bodies concerned to examine the conceptual framework and identify areas for expanding upon it in keeping with their mandates;

4. Requests the Secretary-General to monitor activities for the Year and to make appropriate coordinating arrangements, bearing in mind that the Department for Policy Coordination and Sustainable Development of the Secretariat has been designated the United Nations focal point on ageing;

5. Encourages the Secretary-General to allocate sufficient resources for promoting and coordinating activities for the Year, bearing in mind its resolution 47/5, in which it was decided that observance of the Year would be supported by the regular programme budget for the biennium 1998-1999;

6. Invites Member States, United Nations organizations and bodies and non-governmental organizations to assist the global coordinating entity for the Year;

7. Invites the regional commissions, within the existing mandates, to bear in mind the goals of the Year when convening regional meetings in 1998 and 1999 at which to mark the Year and formulate action plans on ageing for the twenty-first century;

8. Encourages relevant United Nations funds and programmes and the specialized agencies to support local, national and international programmes and projects for the Year;

9. Encourages the United Nations Development Programme to continue to ensure that the concerns of older persons are integrated into its development programmes;

10. Invites the International Research and Training Institute for the Advancement of Women, the United Nations Research Institute for Social Development and other relevant research institutes to consider preparing studies on the four facets of the conceptual framework, namely, the situation of older persons, lifelong individual development, multigenerational relationships and the relationship between the ageing of populations and development, and requests the International Research and Training Institute for the Advancement of Women to continue its research on the situation of older women, including those in the informal sector;

11. Encourages the Department of Public Information of the Secretariat to launch, within existing resources, an information campaign for the Year;

12. Invites the Committee on Economic, Social and Cultural Rights to continue its work on ageing and the situation of older persons, as described in its reports; 2/

13. Invites non-governmental organizations to develop programmes and projects for the Year, particularly at the local level, in cooperation, inter alia, with local authorities, community leaders, enterprises, the media and schools;

2/ Official Records of the Economic and Social Council, 1994, Supplement N°. 3 (E/1994/23); ibid., 1995, Supplement N°. 2 and corrigendum (E/1995/22 and Corr.1).

14. Decides that henceforth the term "older persons" should be substituted for the term "the elderly", in conformity with the United Nations Principles for Older Persons, 3/ with the result that the Year and the Day concerned shall be called the International Year of Older Persons and the International Day of Older Persons;

15. Requests the Secretary-General to report to the General Assembly at its fifty-second session on the preparations being made by Member States, United Nations organizations and bodies and non-governmental organizations for the observance of the Year.

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3/ Resolution 46/91, annex.